IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.33164 of 2008
RAJO SAHNI
Versus
STATE OF BIHAR
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02 11.08.2008 Heard both sides.

The petitioner is an accused in a case instituted under section 302/34 of the Indian Penal Code.

It appears that he was granted bail on merit sometimes in the year 1992 and thereafter he regularly appeared before the court till May 2002. Thereafter he defaulted resulting in cancellation of his bail bonds. The petitioner thereafter surrendered on 15.01.2008 and since then he is languishing in jail custody.

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Learned counsel for the petitioner further submits that the pairvikar on behalf of the petitioner defaulted in making proper pairvi, and as such, the bail bond of the petitioner was cancelled.

It has further been submitted that the petitioner is a poor person and for sometime he was outside the State in connection with his livelihood. Learned counsel for the petitioner further submits that the petitioner is ready to abide by any condition that may be imposed by the Court while releasing him on bail.

Having considered the facts appearing from the record and after hearing the parties, this court is inclined to enlarge the petitioner on bail. Let the petitioner, namely Rajo Sahni be

released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Additional District and Sessions Judge-cum-Fast Track Court No.-4, Samastipur, in connection with Sarairanjan P.S.Case No 97 of 1991 in Sessions Trial No. 117 of 1999/83/2002.

It is made clear that one of the bailers should be Ram Punit Sahni (son of the petitioner), who has affirmed the present affidavit. The petitioner shall appear in the court below on each and every date. In case of default without any reasonable and convincing explanation to the court, the bail bond of the petitioner shall be cancelled and thereafter the trial court is at liberty to proceed in accordance with law.

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Sym **(Kishore K. Mandal, J.)**